

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 3, 5, 8-11, 13, 16, 18, and 29 are now pending in the application, with Claims 1, 18, and 29 being independent.

Claims 3 and 29 have been amended. Applicant submits that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

Claim 3 is objected to as being dependent upon a canceled claim. Accordingly, Claim 3 has been amended to depend from Claim 1 as recommended by the Examiner.

Claim 29 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended Claim 29 in view of the Examiner's comments and believes that such amendment overcomes the Examiner's objections. Applicant submits that this claim is directed to a computer-readable storage medium, i.e., an article. Favorable reconsideration and withdrawal of this rejection are requested.

Claims 1, 3, 5, 8-11, 18, and 29 stand rejected under 35.U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,638,300 (Johnson). Claims 3 and 13 stand rejected under 35.U.S.C. §103(a) as being unpatentable over Johnson in view of U.S. Patent No. 5,655,223 (Cozza). Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of U.S. Patent No. 5,984,684 (Brostedt et al.). Applicant respectfully traverses these rejections for the reasons discussed below.

As set forth in independent Claim 1, the present invention includes, *inter alia*, the features of an estimating unit arranged to estimate a relative position of a second portion of a user with respect to the position and orientation of the user's head in accordance with results of detection by first and second sensors attached to the user, a generation unit arranged to generate action information on the basis of a transition of the estimated relative position, and a determination unit arranged to determine an instruction by the user corresponding to the generated action information. Independent Claims 18 and 21 recite similar features.

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features. In particular, Applicant submits that Johnson merely discloses a golf swing analysis system that records the positioning of a user's golf swing using sensors attached to different parts of a user's body. Johnson is silent regarding estimating a relative position of a second portion of a user with respect to the position and orientation of the user's head in accordance with results of detection by first and second sensors attached to the user, generating action information on the basis of a transition of the estimated relative position, and determining a user instruction corresponding to the generated action information.

The Office Action cites Col. 4, lines 1-6 and lines 39-44 of Johnson as allegedly disclosing "an estimating unit/step arranged to estimate a relative position of the second portion with respect to the position and orientation of the first portion in accordance with results of detection by said first and second sensors." Applicant respectfully disagrees. The cited portion of Johnson describes using a coordinate system to represent the position of the sensors and a calibration step where three points on a control pad are measured to

extract the orientation of the control pad relative to the coordinate system. While Johnson extracts the orientation of a control pad located on the floor relative to the coordinate system, Johnson does not disclose or suggest estimating a relative position of a second portion of a user's body with respect to the position and orientation of the user's head in accordance with results of detection by said first and second sensors. Furthermore, in response to the Examiner's argument that, in Johnson, the position of each sensor is measured relative to each other because the coordinate system relies on a fixed reference point, Applicant submits that each sensor detects a position relative to the fixed reference point; not relative to the other sensors. Nowhere does Johnson disclose or suggest detecting the position of first and second sensors and estimating a relative position of a second portion of a user's body with respect to the position and orientation of the user's head in accordance with results of detection by said first and second sensors.

Similarly, Johnson fails to disclose or suggest a generation unit arranged to generate action information on the basis of a transition of the estimated relative position. The Office Action cites Col. 7, lines 9-18 of Johnson as allegedly disclosing this feature. However, the cited portion of Johnson merely describes that the sensors continuously send position signals to the computer, and that these signals are sampled and stored. Johnson is silent regarding generation of action information on the basis of a transition of the estimated relative position.

Furthermore, Johnson does not disclose or suggest the feature of a determination unit arranged to determine a user instruction corresponding to the generated action information. The Office Action cites Col. 10, lines 41-54 as allegedly disclosing this feature. However, the cited portion of Johnson merely describes a process of comparing a golfer's swing with

that of a stored swing and outputting a warning message if the golfer's swing is not within a predetermined tolerance of the stored swing. Since outputting a warning message based on the swing of a user (i.e., a message to the user) is completely different from determining an instruction by the user corresponding to the generated action information, Johnson fails to disclose or suggest this feature as well.

The other cited art does not disclose anything that would remedy the above-noted deficiencies of Johnson. In particular, Cozza relates to an electronic golf glove training device that was merely cited to disclose using sensors to determine the bend of a finger and Brostedt et al. relates to a method and system for teaching physical skills using video reproduction that was merely cited to disclose the use of a head-mounted display. Neither Cozza nor Brostedt et al. discloses or suggests at least the combination of features mentioned above. Therefore, even if the cited art is combined, the combination would not disclose or suggest every feature of the invention as recited in Claims 1, 18, and 29.

The dependent claims recite additional features that further distinguish them from the cited art. Individual consideration of the dependent claims is requested.

For the foregoing reasons, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, DC office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', written over a horizontal line.

Attorney for Applicant

Brian L. Klock

Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza

New York, New York 10112-3800

Facsimile: (212) 218-2200

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